

**Procedures for Requests from Tribal Lead  
Agencies to use Child Care and Development  
Fund Funds for Construction or Major  
Renovation of Child Care Facilities**

**OMB Information Collection Request  
0970 - 0160**

**Supporting Statement Part A -  
Justification**

**March 2026**

**Type of Request: Revision**

Submitted By:  
Office of Child Care  
Administration for Children and Families  
U.S. Department of Health and Human Services

## **1. Circumstances Making the Collection of Information Necessary**

The Child Care and Development Block Grant (CCDBG) Act allows Tribal Lead Agencies to use Child Care and Development Fund (CCDF) funds for construction or major renovation of child care facilities. The CCDBG Act requires a Tribal Lead Agency, including one that has consolidated its CCDF program into an approved Plan under the Indian Employment, Training and Related Services Consolidation Act of 2017, also known as P.L. 102-477, to first request and receive approval from the Administration for Children and Families (ACF) before using CCDF funds for construction or major renovation. CCDBG requires ACF to develop and implement uniform procedures for the solicitation and consideration of such requests. This Program Instruction (PI) sets forth the uniform procedures.

The Office of Child Care (OCC) proposes extending approval of the information collection with changes, significantly reducing the burden for Tribal Lead Agencies and clarifying requirements. More details on the changes are provided in section A15.

## **2. Purpose and Use of the Information Collection**

The information collected through this PI will be used by ACF to track the amount requested and approved for construction and major renovation projects. ACF will also use this information to evaluate construction and major renovation projects. The information will allow ACF to determine, as required by the statute, whether adequate facilities are otherwise available to a Tribal Lead Agency to carry out the CCDF program in the future, whether funds used for construction or renovation will not result in a decrease in the level of child care services provided by the tribal Lead Agency compared with the preceding fiscal year, and other details about proposed construction and renovation projects, including information about compliance to applicable Federal laws and information necessary to protect the Federal interest in the projects.

## **3. Use of Improved Information Technology and Burden Reduction**

Tribal Lead Agencies will request the set-aside amount for construction using the Child Care Automated Reporting System (CARS). An electronic copy of the procedures will be made available via the internet and, upon request, via e-mail attachment. Applicants will submit applications via an email attachment submitted to ACF Regional Offices. In some instances, applicants may need to submit some attachments in hard copy (such as architectural drawings and maps) if these documents are not available in electronic format.

## **4. Efforts to Identify Duplication and Use of Similar Information**

No similar information is available.

## **5. Impact on Small Businesses or Other Small Entities**

This information collection will not have a significant economic impact on a substantial number of small entities. The information being required has been held to the absolute minimum required for intended use.

#### **6. Consequences of Collecting the Information Less Frequently**

This information collection will be ongoing. Consistent with the statute, a Tribal Lead Agency may submit an application for construction and major renovation projects at any time; although to use CCDF funds awarded in a given fiscal year on construction or major renovation, a Tribal Lead Agency must set those funds aside prior to July 1 of that fiscal year.

If this information collection is not available, Tribal Lead Agencies will be unable to use CCDF funds for construction or major renovation of child care facilities. As a result, Tribal Lead Agencies would continue to suffer from a lack of appropriate facilities, and the intent of Congress to remedy this situation would be thwarted.

#### **7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

Under the proposed procedures, a Tribal Lead Agency must retain all records pertinent to the construction or major renovation of a facility for a period equal to the period of the grantee's use the facility plus three years. This requirement is consistent with the requirements for retention of records at 45 CFR 92.42, and is necessary to protect the Federal interest in property that is constructed or renovated with CCDF funds

#### **8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency**

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on January 23, 2026 (91 FR 2938) and provided a sixty-day period for public comment. During the notice and comment period, 2 sets of comments were received from two federally recognized tribes. OCC made changes to the program instruction based on the comments where applicable. Other comments focused on technical assistance and other supports needed during the construction and major renovation application development process. OCC shared this information with our technical assistance team to ensure appropriate supports are available to Tribal Lead Agencies interested in construction or major renovation projects. OCC will respond to both Tribes thanking them and letting them know of the changes made.

#### **9. Explanation of Any Payment or Gift to Respondents**

No payments or gifts are provided to respondents.

#### **10. Assurance of Confidentiality Provided to Respondents**

The information collection is nothing of a confidential nature, therefore does not require any assurance of confidentiality.

**11. Justification for Sensitive Questions**

There are no questions of sensitive nature.

**12. Estimates of Annualized Burden Hours and Costs**

*Estimated Burden Hours*

The annual public reporting burden for this information collection is broken out to reflect the estimated hours based on the requirements for Tribal Lead Agencies. The revised PI consists of two parts—set-aside and application. The number of respondents is based on an average number of set-asides and applications received over the last three years. To calculate the burden hours, the OCC discussed with federal program specialists across various regions their estimates on the time to respond to this information collection. The burden below represents an average of those estimates and reflects the proposed changes. Based on the proposed changes (see section A15), the estimated time per response was decreased from about 20 hours per response to 6 hours per response.

*Estimated Cost to Respondents*

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2024, which is \$19.91 per hour. To account for fringe benefits and overhead the rate was multiplied by two, which is \$39.82. The estimate of annualized cost to respondents for hour burden is \$39.82 times 120 hours or \$4,778.40. [https://www.bls.gov/oes/current/oes\\_stru.htm](https://www.bls.gov/oes/current/oes_stru.htm)

Information Collection Title	Annual Number of Respondents	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Construction and Major Renovation Set-Aside Request Submission	20	1	1	20	\$39.82	\$796.40
Construction and Major Renovation Application Development and Submission	20	1	5	100	\$39.82	\$3,982
<b>Estimated Total Annual Burden and Costs:</b>				<b>120</b>	<b>\$39.82</b>	<b>\$4,778.40</b>

**13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers**

There are no direct monetary costs to respondents other than their time to complete the application.

**14. Annualized Cost to the Federal Government**

The annual costs to the Federal Government are projected as follows:

<b>Task</b>	<b>Estimated Hours</b>	<b>Estimated Rate</b>	<b>Annual Total</b>
Program Instruction Revision	40	\$30.58	\$ 1,223.20
Construction and Major Renovation Set-Aside Review	1*20 Set-Asides = 20	\$30.58	\$611.60
Construction and Major Renovation Application Review	5*20 Applications = 100	\$30.58	\$3,058.00
Annual			\$4,919.80

**15. Explanation for Program Changes or Adjustments**

The current PI replaces CCDF-ACF-PI-2023-01 issued June 2, 2023. This PI includes a 70% reduction in estimated burden for Tribal Lead Agencies to use CCDF funds for construction and major renovation. This proposed version of the PI includes 19 fewer pages and 5 fewer requirements than the previously approved version, resulting in a decrease in the estimated burden time per respondents from about 20 hours per response to 6 hours per response.

The PI was reorganized and content streamlined to improve readability and user-friendliness. Language was revised to be consistent and reduce redundancies. The updated PI removed requirements not required by statute, regulation, grants policy, or directly supportive of OCC’s understanding of the scope of the project. Citations and definitions were updated.

**16. Plans for Tabulation and Publication and Project Time Schedule**

The names of grantees submitting successful applications may be publicly announced on the OCC’s website or possibly by other means.

**17. Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

No exceptions are necessary for this information collection.